

Docket No. JBP0584

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Warren Wallo, et al.

Serial No. : 10/077,997

Art Unit: 2625

Filed : February 20, 2002

Examiner: John B. Strege

For : METHOD FOR MEASURING CHANGES IN PORTIONS OF A
HUMAN BODY

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December 21, 2005

(Date of Deposit)

Andrea L. Colby, Reg. No. 30,194

(Name of applicant, assignee, or Registered Representative)

/Andrea L. Colby/

(Signature)

December 21, 2005

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

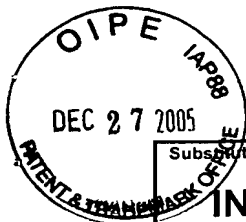
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP0584/ALC. This form is submitted in triplicate.

Respectfully submitted,

/Andrea L. Colby/

Andrea L. Colby
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DATED: December 21, 2005



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Application Number	10/077,997
Filing Date	February 20, 2002
First Named Inventor	Warren Wallo
Group Art Unit	2625
Examiner Name	John B. Strege
Attorney Docket Number	JBP0584

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,053,340		Bergman, et al.	10/1/1991	
		5,119,828		David L. Miller	6/9/1992	
		5,612,222		Gordon, et al.	3/18/1997	
		6,020,148		Osborne, et al.	2/1/2000	
		5,016,173		Kenet et al.	05/14/1991	
		5,361,762		Günter	11/08/1994	
		5,836,872		Kenet et al.	11/17/1998	
		6,208,749	B1	Gutkowicz-Krusin et al.	03/27/2001	
		5,867,588		Marquardt	02/02/1999	
		6,215,893	B1	Leshem et al.	04/10/2001	
		6,272,231	B1	Maurer et al.	08/07/2001	

FOREIGN PATENT DOCUMENTS

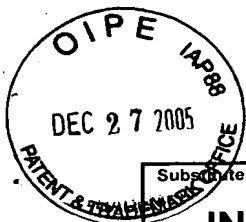
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		EP	0497399	A1	The Procter & Gamble Company	8/5/1992		
		WO	00/10579		California Skin Research Institute	3/2/2000		
		WO	99/23945	A1	Clift, Vaughan, Lennox	05/20/1999		
		JP	2001419		The Procter and Gamble Company	01/09/2001		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 2

Application Number	10/077,997
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First Named Inventor	Warren Wallo
Group Art Unit	2625
Examiner Name	John B. Strege
Attorney Docket Number	JBP0584

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		CUDERM CORPORATION, SEBUTAPE® Skin Indicators, web site article, February 20, 2002; US	
		CUDERM CORPORATION, D-SQUAME® Skin Sampling Discs web site article, February 20, 2002; US	
		CUDERM CORPORATION, SEBUTAPE® Adhesive Patches web site article, February 20, 2002; US	
		C.W. CARDIN, M.A. PERKINS, M.A. OSTERHUES, and M.K. ROBINSON, abstract, "Development of a Noninvasive Method for Recovery of Molecular Markers of Normal and Compromised Scalp Conditions"; Society of Toxicology, March 2001; US	
		M.A. PERKINS, M.A. OSTERHUES, and M.K. ROBINSON, abstract, "Noninvasive Method for Assessing Inflammatory Changes in Chemically Treated Human Skin", Journal of Investigative Dermatology, 112(4) page 601, April, 1999; Society of Investigative Dermatology, May 1999; US	
		M.A. FARAGE, M.A. PERKINS, M.A. OSTERHUES, and M.A. ROBINSON, "Further Development of a Noninvasive Method for Assessing Human Skin Irritation", Society of Toxicology, March 1998; US	
		M.A. PERKINS, M.A. FARAGE, T.K. WONG, and M.K. ROBINSON, "Development of a Noninvasive Method for Assessing Human Skin Irritation", Society of Toxicology, March 1997; US	
		D.M. REILLY and M.R. GREEN, "Eicosanoid and Cytokine Levels in Acute Skin Irritation in Response to Tape Stripping and Capsaicin", Acta Derm Venereol (Stockh) 1999; 79; 187-190; accepted December 10, 1998; US	
		K. MULLER-DECKER, T. HEINZELMANN, G. FURSTENBERGER, A. KECSKES, W.D. LEHMANN, and F. MARKS, "Arachidonic Acid Metabolism in Primary Irritant Dermatitis Produced by Patch Testing of Human Skin with Surfactants", Toxicology and Applied Pharmacology, 153, 59-67, accepted June 29, 1998; US	
		MICHAEL K. ROBINSON, MARY A. PERKINS and DAVID A. BASKETTER, "Application of a 4-h Human Patch Test Method for Comparative and Investigative Assessment of Skin Irritation", Contact Dermatitis, 1998, 38, 194-202, accepted December 3, 1997; US	
		MICHAEL K. ROBINSON, ROSEMARIE OSBORNE, and MARY A. PERKINS, "Strategies for the Assessment of Acute Skin Irritation Potential", Elsevier Journal of Pharmacological and Toxicological Methods, 42 (1999) 1-9, accepted August 17, 1999; US	
		MARY A. PERKINS, MARCIA A. OSTERHUES, MIRANDA A. FARAGE and MICHAEL K. ROBINSON, "A Noninvasive Method to Assess Skin Irritation and Compromised Skin Conditions Using Simple Tape and Adsorption of Molecular Markers of Inflammation", Skin Research and Technology 2001; 7: 227-237, Published February 7, 2001; US	
		PESSA, J. E., The Potential Role of Stereolithography in the Study of Facial Aging; Amer. J. of Orthodontics & Dentofacial Orthopedics, Feb. 2001, 119(2):117-20, US	
		OKADA, E, Three-dimensional facial simulations and measurements: changes of facial contour and units associated with facial expression, J. of Craniofacial Surgery, March 2001, 12(2):167-74, US	
		HALAZONETIS, D.J., Acquisition of 3-dimensional shaps from images, Amer. J. of Orthodontics & Dentofacial Orthopedics, May 2001, 119(5):556-60, US	
		PICHE, E. ET AL., FOITS: Fast Optical in vivo topometry of human skin: new approaches to 3-D surface structures of human skin, Biomedizinische Technik, Nov. 2000; 45(11):317-22, Germany	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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